

**Notice of Allowability**

Application No.

10/613,149

Applicant(s)

TERADA ET AL.

Examiner

Art Unit

Daniel Swerdlow

2615

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 3 July 2003.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance:
2. Regarding Claim 1, US Patent 6,839,441 to Powers et al. discloses a sound mixing console (Fig. 1) that corresponds to the audio signal processing device claimed and comprises: a motor control subsystem that corresponds to the first memory claimed and stores current operating parameters for the mixer (column 3, lines 26-34); electronic signal processing circuits (Fig. 1, reference 1A; column 4, lines 1-4) that correspond to the controller claimed; an electronic memory sub-system (column 3, lines 19-20) that corresponds to the second memory claimed and stores plural control console setups (i.e., primary and secondary setting data). Powers further discloses that an amended setup can be stored as either a new setup while retaining the original setup (i.e., storing the setting data in a specified save destination and setting a save destination for data newly stored, linked from the primary setting data) (column 6, lines 22-30). Powers further discloses a console control section (Fig. 2, reference H; column 5, lines 64-67) that controls store and recall of console setups. However, Powers fails to disclose an automatic save switch that causes a save destination for new data to be automatically set and a manual save switch that causes a save destination for new data to be accepted. US Patent 4,479,240 to McKinley, Jr. discloses an audio mixing console (Fig. 4) in which amended setup data is stored in accordance with a memory address set a user with an increment switch 77 upon operation of an update switch 72 that corresponds to the manual save switch claimed (column 5, line 62-column 6, line 3). However, McKinley art fails to disclose an automatic save switch that causes a save destination for new data to be automatically set. US Patent 4,275,268 to Takahashi et al. discloses a mixing apparatus for digital audio signals that is controlled by a memory

Art Unit: 2615

element (Fig. 2, reference 20), bit is silent as to the means by which the memory data is stored and recalled. Because the prior art fails to disclose or fairly suggest an audio signal processing device with an automatic save switch for directing execution of an automatic save in which primary setting data is stored in specified save destination and secondary setting data linked from the primary setting data is stored in an automatically set save destination, the claim is allowable.

3. Claim 3 contains limitations similar to those of Claim 1 and is allowable for the same reasons.

4. Claims 2 and 4 through 14 are allowable due to dependence from their respective base claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 571-272-7531. The examiner can normally be reached on Monday through Friday between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Daniel Swerdlow  
Primary Examiner  
Art Unit 2615

ds

16 August 2006